

Application No. 10/755,154

Reply to Office Action

*REMARKS/ARGUMENTS**Summary of the Invention*

Claims 1-22 are pending currently and are directed to a polishing system comprising (a) a liquid carrier, (b) a polymer having a degree of branching of about 50% or greater, and (c) a polishing pad, an abrasive, or a combination thereof. Reconsideration of the pending claims is respectfully requested.

Discussion of the Restriction Requirement

Claim 23 has been withdrawn as directed to a nonelected invention. Applicant notes that, if and when a product claim of elected Group I is found allowable, the nonelected method claim of Group II that depends from or otherwise includes all of the limitations of the allowable product claim should be rejoined and considered. See M.P.E.P. § 821.04.

Summary of the Office Action

Claim 23 has been withdrawn from consideration pursuant to a restriction requirement. Claims 1-3, 14-20, and 22 are rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative under 35 U.S.C. § 103(a) as obvious over, Sakai et al. (i.e., EP 1 279 708 A1). Claim 21 is rejected under 35 U.S.C. § 103(a) as obvious over Sakai et al. in view of Chou et al. (i.e., U.S. Patent Application Publication 2002/0125461 A1). Claims 4-13 have been indicated as allowable if rewritten in independent form.

Discussion of the Anticipation and Obviousness Rejections

The anticipation and obviousness rejections are respectfully traversed because Sakai et al. does not qualify as prior art under 35 U.S.C. § 102(b). In particular, Sakai et al. published on January 29, 2003, less than one year before the filing date of this application on January 9, 2004. Accordingly, the anticipation and obviousness rejections are improper and should be withdrawn.

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Discussion of the Possible Rejection under 35 U.S.C. § 102(a)

Even if cited under 35 U.S.C. § 102(a), Sakai et al. fails to anticipate each and every element of the invention recited in the pending claims. As acknowledged in the Office Action, Sakai et al. fails to disclose a polymer having a degree of branching of about 50% or greater. Rather Sakai et al. discloses a polyoxyalkylene addition polymer having a triple bond that optionally is substituted with C₁-C₁₀ alkyl groups. While the polyoxyalkylene addition polymer is technically a branched polymer, the polymer shown in formula (1) has a maximum of four branches (R₃-R₆) along the polymer backbone out of a total of 12 possible branch points. Accordingly, at most a third (4/12) of the possible branch sites are branched, far less than the 50% required by the pending claims. Moreover, nothing in Sakai et al. suggests that the polymer disclosed therein can be further branched or recognizes the benefits of using a more highly branched polymer, especially a branched polymer having a degree of branching of about 50% or more, in a polishing system. Accordingly, the subject matter of the pending claims is patentable over Sakai et al.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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